

Minnesota DNR Response to Tribal Comments: Draft Minnesota White-tailed Deer Management Plan

Background

The draft Minnesota White-tailed Deer Management Plan was released for public comment on April 9, 2018. The comment period was open from April 9, 2018 to May 9, 2018. Online and hard copy questionnaires were used to collect public comment on the plan's goals, objectives, communications strategies, and deer management approaches. The comment period was publicized through a series of statewide, in-person open houses (n=37), as well as through a number of media channels. Respondents were self-selected, meaning the survey results cannot be considered representative of the state's deer management interests or of the general population. All survey responses were read by DNR staff and grouped by theme.

DNR also received several letters from tribal agencies or communities, including the Leech Lake Band of Ojibwe, 1854 Treaty Authority, Shakopee Mdewakanton Sioux Community, Great Lakes Indian Fish & Wildlife Commission, Fond du Lac Division of Resource Management and the Grand Portage Band of Chippewa.

In this document, DNR summarizes tribal comments by themes identified during review of deer plan comments. This document does not respond to every comment; however, ideas shared will be considered by staff as part of their ongoing deer management activities. Public comments are summarized in the partner document, "*Minnesota DNR Response to Public Comments: Draft Minnesota White-tailed Deer Management Plan.*" A number of tribal and public comments led to edits reflected in the final deer plan.

Response to Comments Resulting in Notable Plan Edits

Disease management

Comments:

CWD was mentioned to a lesser extent by commenters representing tribal interests (compared to public comments), with suggestions to broaden strategies/language to include other disease surveillance and more aggressive legislation regarding captive cervid operations (including more funding for mandatory inspections and record keeping as well as mandatory de-population and testing of any herd where an animal has tested positive. Support for enhanced management in areas where CWD is found in wild deer was expressed although some caution about sensationalized news stories was raised. Comments supported a ban on recreational feeding or, at the very least, implementation of restrictive limits on feeding.

DNR response:

Due to the growing risk of CWD introduction and spread on the landscape, CWD response and management will be a top priority for at least the first few plan years. Plan revisions were made to better highlight CWD. As mentioned in the plan, DNR will continue the discussion about a potential statewide feeding ban with the statewide deer input group and the public.

Moose management

Comments:

Moose management was a primary and substantial concern expressed by commenters representing tribal interests within or near primary moose range. In general, comments indicated that the moose plan is outdated and that current research suggests that deer densities would need to be substantially reduced below 10 deer per square mile (dpsm) to benefit moose. Tribal commenters urged DNR to prioritize management for moose above management for deer in primary moose range. Some comments also made specific suggestions about regulations and outreach to increase harvest in moose range.

DNR response:

Due to concern about big game priorities in moose range that were raised during the deer plan comment period, the plan has been revised to clarify that moose will be the big game priority in primary moose range for the foreseeable future. This management decision is based upon moose population declines and Special Concern status. Hunter and landowner survey results in 2015¹ indicated that non-hunting (i.e. those who do not hunt deer) landowners in the area would prioritize moose management over deer to benefit moose; hunters tended to be more diverse in their preferences, with most not wanting to prioritize one species over the other even if it would help the moose population.

The 2011 Minnesota Moose Management and Research Plan² calls for keeping deer numbers below 10 deer per square mile (dpsm). Direction from the moose plan was considered during the 2015 deer goal setting public process that resulted in population goals substantially lower than 10 dpsm. In addition to concerns about moose, the 2015 citizen advisory team considered multiple resource values in developing their final recommendations for deer populations within moose range (e.g. forest regeneration). Results from current research suggest that parasite transmission has continued to negatively impact moose populations in areas where deer densities have been well below 10 dpsm. As noted in the plan, from a moose management perspective, the most feasible and potentially effective strategy to reduce this negative impact is to maintain deer densities on moose range as low as practical. DNR will continue to work with stakeholders to establish deer population goals that are consistent with moose management but also maintain a presence of deer in northeastern Minnesota.

¹ https://files.dnr.state.mn.us/wildlife/research/hd/deer/2015-gb1_hlsurvey.pdf; page 24

² MMRP - https://files.dnr.state.mn.us/wildlife/moose/moose_plan.pdf

Population: status and monitoring

Comments:

One tribal community indicated concern about allowing advisory teams to recommend population increases in excess of 50%, noting concern that special interests appear to be at play rather than allowing decisions to be based on biological or ecosystem indicators. Other tribal comments suggest deer population reductions are needed in primary moose range.

DNR response:

Minnesota DNR manages deer populations based on population goals established for each deer permit area (minus DPA 601 and 182) in the state and will continue to use a public goal setting process to revisit established goals. Although advisory teams may recommend any level of population increase, final decisions regarding population goals will be made by the DNR commissioner and will continue to consider tribal input in those decisions. Big game priorities in primary moose range were clarified in the plan.

Harvest target

Comments:

Commenters representing tribal interests raised concern about the use of a harvest target and questioned whether a harvest target is an appropriate objective. In particular, year-to-year fluctuations associated with population management and uncontrollable factors (e.g., winter severity or hunting season conditions) were noted to be expected and are inconsistent with use of a target. One commenter asked for more information on how the target (200K) was derived. Suggestions were to use a science-based objective, focus more on regional or local expectations, and to make this a changeable and moving target. Another suggestion was to add a goal or objective that “ensures treaty-guaranteed harvest.”

DNR response:

Due to stakeholder interest, DNR agreed to develop a harvest target for the deer plan. The plan was revised to clarify that annual seasons (hunting regulations) will continue to be set to move deer populations toward established population goals (i.e., increase, maintain, decrease the population) for each DPA. DNR does expect that harvest will fluctuate over time as regulations are set to meet population goals. The harvest target, identified as a performance measure in the plan, will *not* be used to inform annual season decisions. Rather, the harvest target will be used over the course of the plan to track how well DNR is meeting population goals at a statewide level and demonstrate progress in providing consistent hunting opportunities over time (while recognizing factors beyond DNR control such as severe winters). Performance related to population management at the DPA-level will also be monitored over the course of the plan.

The harvest target of 200,000 deer per year was informed based on a combination of (1) staff analyses designed to identify a statewide harvest level anticipated to be achieved when population goals are met³ and (2) the diversity of recommendations expressed by the Deer Management Plan Advisory Committee.

³ https://files.dnr.state.mn.us/wildlife/deer/plan/20171213_Harvestobj.pdf

Because this is the first time a harvest target has been identified, DNR will review the specific target level at the mid-point of the plan to assess how well the 200,000 target aligns with success in meeting DPA-level population goals.

Response to Open-ended Comments (Relevant to Plan but No Substantive Plan Edits)

Action items and metrics

Public comments:

Commenters representing tribal interests were focused on concerns about use of WMA lands as a proxy for all public lands, a request to include a performance measure/strategies to address impacts to moose, and noted that discussion regarding how to measure a reduction in negative impacts to vegetation and other wildlife was missing.

DNR response:

DNR agrees that use of WMA lands as a proxy for all public lands (e.g., in performance measures) is less than ideal. As noted in the plan (page 10), DNR will refine that measure if a consistent means to report habitat enhancement benefitting deer across all state lands becomes available. Although a moose-related performance measure was not included in the plan, DNR clarified that moose will be a priority in primary moose range for the foreseeable future. On page 13, DNR notes a commitment to exploring monitoring opportunities to track deer impacts on native plant communities or habitats.

Public input and involvement

Comments:

Commenters representing tribal interests stressed the importance of recognizing treaty rights, on and off reservation, and requested specific acknowledgement of tribal sovereignty and authority with respect to deer management. Reference was made to Minnesota Executive Order 13-10⁴ and obligations to coordinate and consult with tribes; in particular, that DNR should recognize that tribal coordination and consultation differs from public input but is equally important. A suggestion was made to work with tribes to identify management and research goals on reservations and in ceded territory.

DNR response:

Minnesota DNR recognizes treaty rights and will continue to coordinate and work with tribes on deer management in accordance with reserved treaty rights, associated court decisions, federal laws, intergovernmental agreements, and shared interest in natural resource conservation. Strategy 5 was added as a near term priority to improve relationships and coordination with tribal nations on deer management.

⁴ <https://mn.gov/governor/assets/EO-13-10.pdf> [tcm1055-92492.pdf](#)

Public Access:

Comments:

The importance of public lands and access to public land were noted in tribal comments. In particular, access to ceded territory was identified as critical for the maintenance of hunting traditions and exercise of treaty rights. Comments also noted that access is similarly important for nontribal stakeholders. A suggestion was made to add a goal of maintaining and acquiring additional public lands throughout the state.

DNR response:

Minnesotans benefit from access to a substantial amount of public land, including lands administered by the federal government, the state, and county or local governmental units. Minnesota DNR administers more public land than most other states and has a strategic approach for future land protection⁵. DNR agrees that access to land is critical for the maintenance of hunting traditions (tribal and nontribal) and for deer population management. As noted in the plan, the Wildlife Management Area/Aquatic Management Area Acquisition and Strategic Plan will be finalized soon and will provide direction on priorities for land protection across the state. Performance measures in the deer plan identify plans to increase WMA acreage as well as Walk-in-Access to private lands. Strategies to identify priority deer habitat for protection and management are listed in appendix A, with an emphasis on winter habitat across the state.

Education and Outreach

Comments:

Some commenters representing tribal interests suggested outreach to increase support for reduced deer densities in moose range.

DNR response:

DNR agrees that additional outreach will be needed to communicate the rationale behind deer and moose management decisions in primary moose range.

Habitat and relationship to herd health

Comments:

Some commenters representing tribal interests requested greater focus on natural habitat enhancement rather than creation of habitat that deer prefer was requested. A comment suggested deer management activities should be made in consideration of T&E, sensitive, and rare species. Deer wintering habitat, particularly in the northern forest was a concern; comments requested the targeting of additional WMA acquisitions in the northern forest to support habitat and land access. Additional emphasis on the importance of habitat quality and availability for the purposes of reducing winter mortality was requested. A suggestion was made to add a strategy to gain better habitat monitoring information over the next 10 years. Some comments noted concern

⁵ https://www.dnr.state.mn.us/lands_minerals/acquisitions.html

about the protection and enhancement of natural resources on School Trust Lands (STL); a suggestion was made to pursue legislation requiring all natural resource values be considered equally with economic returns on STL.

DNR response:

Habitat management is a DNR priority and impacts of deer population management are an important consideration discussed during deer population goal setting processes. DNR commits substantial resources to habitat protection and management. Impacts that deer have on native plant communities are well documented and DNR recommends management of deer populations below levels where these impacts would be significant. DNR deer management will aim to balance all goals within the plan, including the intent to minimize negative impacts on other resources and promote healthy habitat. We agree, and have noted, that a performance measure related to habitat condition is missing; DNR will work to identify statewide data that can be monitored and reported as a measure of success in minimizing deer impacts on native plant communities and habitat. Near-term strategies associated with winter habitat needs and management of School Trust Lands are identified in appendix A. More direction on School Trust Land management is anticipated in the future.

Regulations

Public comments:

Some commenters representing tribal interests provided suggestions for methods to increase deer harvest in moose range, ban or limit deer feeding, and conduct additional bear management to benefit moose.

DNR response:

Comments on specific management tools are beyond the scope of deer plan revisions but provide background information for future discussions (e.g., at local area meetings and with the statewide deer input committee) and attitude survey development.